

RECEIVED  
CENTRAL FAX CENTER  
JUL 17 2009

Attorney Docket No. P71338US0  
Application No. 10/583,088

**Amendments to the claims:**

This listing of claims replaces all prior versions, and listings, of claims in the application.

**Listing of claims:**

Claims 1-26 cancelled.

27 (new): An oligonucleotide having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, SEQ ID NO: 7, and sequences fully complementary thereto.

28 (new): The oligonucleotide according to claim 27, consisting of a sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 6, SEQ ID NO: 7, and sequences fully complementary thereto.

29 (new): The oligonucleotide according to claim 27, which includes a sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 3, and sequences fully complementary thereto.

30 (new): the oligonucleotide according to claim 27, consisting of SEQ ID NO:

Attorney Docket No. P71338US0  
Application No. 10/583,088

31 (new): The oligonucleotide according to claim 27, consisting of SEQ ID NO: 3 or a sequence fully complementary thereto.

32 (new and withdrawn): The oligonucleotide according to claim 27, consisting of SEQ ID NO: 4 or a sequence fully complementary thereto.

33 (new and withdrawn): The oligonucleotide according to claim 27, consisting of SEQ ID NO: 5 or a sequence fully complementary thereto.

34 (new and withdrawn): The oligonucleotide according to claim 27, consisting of SEQ ID NO: 6 or a sequence fully complementary thereto.

35 (new and withdrawn): The oligonucleotide according to claim 27, consisting of SEQ ID NO: 7 or a sequence fully complementary thereto.

36 (new): A method for hybridizing with and optionally amplifying a nucleic acid from a hepatitis B virus (HBV) comprising the step of hybridizing with and optionally amplifying said nucleic acid from HBV with a primer consisting of an oligonucleotide as defined in claim 27.

Attorney Docket No. P71338US0  
Application No. 10/583,088

37 (new): A method for hybridizing with a nucleic acid from HBV with a probe having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto.

38 (new): The method according to claim 37, wherein said oligonucleotide includes a sequence of SEQ ID NO: 8 or a sequence fully complementary thereto.

39 (new): The method according to claim 37, wherein said oligonucleotide consists of a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto.

40 (new): The method according to claim 37, wherein said oligonucleotide includes a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto, and wherein said oligonucleotide carries a fluorophore moiety at one terminus and a quencher moiety at the other terminus.

41 (new): The method according to claim 40, wherein said oligonucleotide consists of a sequence selected from the group consisting of SEQ ID NO: 12, SEQ ID NO: 13; SEQ ID NO: 14, and SEQ ID NO: 15, and wherein said oligonucleotide carries a fluorophore moiety at one terminus and a quencher moiety at the other terminus.

Attorney Docket No. P71338US0  
Application No. 10/583,088

42 (new and withdrawn): The method according to claim 38, wherein said oligonucleotide consists of a sequence of SEQ ID NO: 12, wherein said oligonucleotide carries a fluorophore moiety at one terminus and a quencher moiety at the other terminus.

43 (new): A set of oligonucleotides having a length of 15 to 40 nucleotides, wherein said set of oligonucleotides comprises:

- an oligonucleotide including SEQ ID NO: 2, and
- at least one oligonucleotide selected from the group consisting of an oligonucleotide including SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 5, SEQ ID NO: 6, and SEQ ID NO: 7.

44 (new): A set of oligonucleotides according to claim 43, wherein said set of oligonucleotides consists of:

- an oligonucleotide consisting of SEQ ID NO: 2: and
- at least one oligonucleotide selected from the group consisting of an oligonucleotide consisting of SEQ ID NO: 3, SEQ ID NO: 4, SEQ ID NO: 6, and SEQ ID NO: 7.

45 (new): A set of oligonucleotides according to claim 43, comprising an oligonucleotide including SEQ ID NO: 2 and an oligonucleotide including SEQ ID NO: 3.

46 (new): A set of oligonucleotides according to claim 45, consisting of:

Attorney Docket No. P71338US0  
Application No. 10/583,088

(i) an oligonucleotide consisting of SEQ ID NO: 2, and an oligonucleotide consisting of SEQ ID NO: 3.

47 (new): A set of oligonucleotides according to claim 43, comprising:

(ii) an oligonucleotide including SEQ ID NO: 2 and an oligonucleotide including SEQ ID NO: 4;

(iii) an oligonucleotide including SEQ ID NO: 2 and an oligonucleotide including SEQ ID NO: 5;

(iv) an oligonucleotide including SEQ ID NO: 2 and an oligonucleotide including SEQ ID NO: 6;

(v) an oligonucleotide including SEQ ID NO: 2 and an oligonucleotide including SEQ ID NO: 7;

(vi) an oligonucleotide including SEQ ID NO: 2, oligonucleotide including SEQ ID NO: 4, and an oligonucleotide including SEQ ID NO: 5; and

(vii) an oligonucleotide including SEQ ID NO: 2, an oligonucleotide including SEQ ID NO: 6, and an oligonucleotide including SEQ ID NO: 7.

48 (new): A set of oligonucleotides comprising:

(a) a set of oligonucleotides according to claim 43; and

Attorney Docket No. P71338US0  
Application No. 10/583,088

(b) an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto.

49 (new and withdrawn): A set of oligonucleotides according to claim 48, comprising

(a) a set of oligonucleotide according to claim 43; and

(b) an oligonucleotides consisting of a sequence selected from the group consisting of SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14 and SEQ ID NO: 15, and carries a fluorophore moiety at one terminus, and a quencher moiety at the other terminus.

50 (new): A set of oligonucleotides according to claim 48, comprising

(a) a set of oligonucleotides according to claim 44; and

(b) an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto.

51 (new): A set of oligonucleotides according to claim 48, that comprising:

(a) a set of oligonucleotides according to claim 45; and

(b) an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 8 or a sequence fully complementary thereto.

Attorney Docket No. P71338US0  
Application No. 10/583,088

52 (new and withdrawn): A set of oligonucleotides according to claim 51 comprising:

- (a) a set of oligonucleotides according to claim 45; and
- (b) an oligonucleotide consisting of a sequence of SEQ ID NO: 12 and carrying a fluorophore moiety at one terminus and a quencher moiety at the other terminus.

53 (new): A method for specifically detecting a HBV by amplification in a biological sample, which method comprises the steps of:

- (a) contacting a set of oligonucleotides according to claim 43 with a biological sample or nucleic acid preparation obtained from a biological sample under conditions suitable for the oligonucleotides to hybridize to a HBV nucleic acid present in the sample;
- (b) amplifying said HBV nucleic acid using said oligonucleotide as primers;
- (c) detecting the amplification product, indicating the presence of a HBV in the biological sample.

54 (new): The method according to claim 53, wherein HBV nucleic acid is amplified by polymerase chain reaction.

55 (new): The method according to claim 53, wherein the detection of said amplification product is performed by using an oligonucleotide having a length of 14 to 40 nucleotides, including a sequence

Attorney Docket No. P71338US0  
Application No. 10/583,088

selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto, and that is detectably labeled as a probe.

56 (new): The method according to claim 55, wherein said oligonucleotide includes a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto, and carries a fluorophore moiety at one terminus, and a quencher moiety at the other terminus.

57 (new and withdrawn): The method according to claim 55, wherein said oligonucleotide including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto, is SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14 or SEQ ID NO: 15.

58 (new): The method according to claim 53, wherein the detection of said amplification product is performed by using an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence of SEQ ID NO: 8 or a sequence fully complementary thereto, and carries a fluorophore moiety at one terminus, and a quencher moiety at the other terminus.

59 (new and withdrawn): The method according to claim 58, wherein said oligonucleotide including a sequence of SEQ ID NO: 8 or a sequence fully complementary thereto is SEQ ID NO: 12.



Attorney Docket No. P71338US0  
Application No. 10/583,088

60 (new): A kit for amplifying HBV in a biological sample, which kit comprises

- at least a set of oligonucleotide according to claim 43, useful as primers;
- means for amplifying a HBV nucleic acid.

61 (new): The kit according to claim 60, which further comprises means for the detection of the amplified product.

62 (new): The kit according to claim 60, wherein the means for amplifying HBV nucleic acid are means for amplification by Polymerase Chain Reaction.

63 (new): The kit according to any of claims 60, which comprises an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11, and sequences fully complementary thereto, detectably labeled and useful as a probe.

64 (new and withdrawn): The kit according to claim 63d, wherein said oligonucleotide including a sequence selected from the group consisting of SEQ ID NO: 8, SEQ ID NO: 9, SEQ ID NO: 10, SEQ ID NO: 11 and sequences fully complementary thereto, is SEQ ID NO: 12, SEQ ID NO: 13, SEQ ID NO: 14 or SEQ ID NO: 15.

Attorney Docket No. P71338US0  
Application No. 10/583,088

65 (new): The kit according to any of claims 60, which comprises an oligonucleotide having a length of 15 to 40 nucleotides and including a sequence of SEQ ID NO: 8 or a sequence fully complementary thereto, detectably labeled and useful as a probe.

66 (new and withdrawn): The kit according to claim 65, wherein said oligonucleotide including a sequence of SEQ ID NO: 8 or a sequence fully complementary thereto, is SEQ ID NO: 12.